

**FILED**

FEB 27 2019

**IN THE UNITED STATES DISTRICT COURT  
FOR WESTERN DISTRICT OF OKLAHOMA**CARMELITA REEDER SHINN, CLERK  
U.S. DIST. COURT, WESTERN DIST. OKLA.  
BY KMT DEPUTYA. Schultz, individually, and on behalf  
of C. Cargill, a minor,  
Plaintiffs,

v.

Oklahoma Dept. of Transportation,  
Defendant.

**CIV 19 192**

) Case No. \_\_\_\_\_

) Judge: \_\_\_\_\_

) Jury Trial Demanded

**COMPLAINT**

COMES NOW, the Plaintiffs, and for their cause of action against the Defendant alleges:

1. The Plaintiff is a life-long resident of the State of Oklahoma.
2. The Defendant is the Oklahoma Department of Transportation.
3. On June 18, 2018, Defendant's employee was backing the wrong direction on Interstate 75 when he crashed into Plaintiff, with her infant daughter in the back seat, on the same side as the crash. Defendant was negligently performing his duties, and failed to look where he is going, and backed into the the trunk/right rear quarter panel of Plaintiff's car, behind her tire. Plaintiff was driving an Acura 4-door sedan, Defendant was driving a pickup truck. The crash totaled Plaintiff's car, and bent the frame of her car.
4. At this point of Interstate Highway 75, it is a divided highway with a stopping/entry point between the North and South bound lanes with enough space for 3-4 vehicles to pass each other, and to stop and wait for a safe opportunity to enter the lanes of traffic.
5. Plaintiff was in this center area, briefly stopped in a legal and safe manner, waiting for a safe opportunity to enter the Southbound lanes of Interstate 75.

6. Defendant was in the Northbound lane, backing Southbound, backing into the same access area that Plaintiff was stopped in. Defendant negligently failed to look where he was going. Had he looked where he was going, he had an opportunity to miss Plaintiff, and back into another area. Plaintiff did not have an opportunity to get out of Defendant's way, her only 'escape' route was incoming traffic on Interstate 75.

7. On July 31, 2018, Plaintiff properly notified Defendant of her claim.

8. On August 31, 2018, Defendant denied Plaintiff's claim.

9. Defendant has paid the property damage; has not paid for medical care, but the parties are still pending receipt of medical records.

10. Plaintiffs bring this action for full payment of their medical bills, injuries, and pain and suffering.

11. This Court has jurisdiction per 51 O.S. '157.

WHEREFORE, the Plaintiffs respectfully requests this honorable Court grant her medical costs, pain and suffering and any and all such relief as this Court deems appropriate and just.

Respectfully submitted,

By:

Alexandra Schultz  
Alexandra Schultz

8551 N. 4003 Dr.  
Copan, OK 74006

**IN THE UNITED STATES DISTRICT COURT  
FOR WESTERN DISTRICT OF OKLAHOMA**

A. Schultz, individually, and on behalf	)	
of C. Cargill, a minor,	)	
Plaintiffs,	)	Case No. _____
v.	)	
	)	Judge: _____
Oklahoma Dept. of Transportation,	)	
Defendant.	)	Jury Trial Demanded

**CERTIFICATE OF SERVICE**

I hereby certify and return that on or about the 27th day of February, 2019, a copy of the Complaint and any accompanying documents were mailed, postage prepaid, to:

Oklahoma Department of Transportation  
200 NE 21st Street  
Oklahoma City, OK 73105

I declare under penalty of perjury that the foregoing statements are true and correct.

Respectfully submitted,

By: /s/ Alexandra Schultz  
Alexandra Schultz